

THE STATE BAR OF CALIFORNIA

NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, sections 2 and 4, notice is hereby given of the following special and regular meetings of the Board of Governors of the State Bar of California and the Board Committees and Task Force of the State Bar of California:

**The State Bar Offices
180 Howard Street
San Francisco, CA 94105
(415) 538-2000**

Friday, December 3, 2004

8:30 a.m. - 10:00 a.m.	Board Operations	Conference Room 4 E
9:00 a.m. - 10:00 a.m.	New Members - Budget Presentation by Peggy Van Horn, CFO	Conference Room 4 C
10:00 a.m. - 12:30 p.m.	Planning, Program Development, & Budget	Board Room 4 A/B
10:00 a.m. - 12:30 p.m.	Regulation, Admissions & Discipline	Conference Room 4 E
12:30 p.m. - 1:30 p.m.	LUNCH	Conference Room 4 D
1:15 p.m. - 1:45 p.m.*	Communications & Bar Relations Subcommittee on Volunteer Involvement	Board Room 4 A/B/C
*1:30 p.m. - 4:30 p.m.	Communications & Bar Relations [COMBAR]	Board Room 4 A/B/C
1:30 p.m. - 3:30 p.m.	Member Oversight	Conference Room 4 E
3:30 p.m. -	Task Force on Sections	Conference Room 4 E

Saturday, December 4, 2004

8:00 a.m. - 9:00 a.m.	Audit Committee Meeting with State Bar Auditors	Conference Room E
9:00 a.m. -	BOARD MEETING	Board Room 4 A/B/C

Tuesday, December 7, 2004

9:00 a.m. - 11:30 a.m.	Regulation, Admissions & Discipline	State Bar Office, Los Angeles
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*Members of COMBAR may join its subcommittee meeting, if they so wish.

2004 - 2005 BOARD COMMITTEES

Committee on Board Operations [Bd. Ops.] (110)

1. **John K. Van de Kamp, Chair**
2. Janet M. Green
3. James O. Heiting
4. Steven J. Ipsen
5. Judy Johnson
6. David M. Marcus
7. Roderick A. McLeod
8. Joel S. Miliband
9. John G. Snetsinger

Regulation, Admissions, and Discipline Oversight Committee [RAD] (120)

1. **Joel S. Miliband, Co-Chair**
2. **Steven J. Ipsen, Co-Chair**
3. Raymond G. Aragon
4. Anthony P. Diaz
5. Marguerite D. Downing
6. Jo-Ann Grace
7. Janet M. Green
8. Thomas T. Haider
9. James A. Scharf
10. Sheldon H. Sloan

Member Oversight Committee [MOC] (130)

1. **Roderick A. McLeod, Co-Chair**
2. **Janet M. Green, Co-Chair**
3. Raymond G. Aragon
4. Jeffrey L. Bleich
5. Richard L. Crabtree
6. Jo-Ann Grace
7. Chantel L. Walker

Planning, Program Development, and Budget Committee [PPDB] (140)

1. **James O. Heiting, Chair**
2. Ruthe C. Ashley
3. Jeffrey L. Bleich
4. Richard L. Crabtree
5. Paul S. Hokokian
6. Melvin D. Lee
7. Demetrius D. Shelton
8. Dorothy M. Tucker
9. Chantel L. Walker

Communications and Bar Relations [COMBAR] (150)

1. **John G. Snetsinger, Co-Chair**
2. **David M. Marcus, Co-Chair**
3. Ruthe C. Ashley
4. Anthony P. Diaz
5. Marguerite D. Downing
6. Thomas T. Haider
7. Paul S. Hokokian
8. Melvin D. Lee
9. James A. Scharf
10. Demetrius D. Shelton
11. Sheldon H. Sloan
12. Dorothy M. Tucker

COMBAR'S Subcommittee on Volunteer Involvement

1. **David M. Marcus, Chair**
2. Paul S. Hokokian
3. Demetrius D. Shelton
4. Sheldon H. Sloan
5. Dorothy M. Tucker

Task Force on Sections (160)

1. **John K. Van de Kamp, Chair**
2. Richard L. Crabtree
3. Vivian L. Kral (former Board member)
4. Joel S. Miliband
5. James A. Scharf
6. Patricia Beyer
7. Ben Borson
8. Dena Cruz
9. John O'Banion

THE STATE BAR OF CALIFORNIA
AGENDA
BOARD OF GOVERNORS MEETING

AT

The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, CA 94105
(415) 538-2000

Saturday, December 4, 2004

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

OPEN SESSION

10 MINUTES

9:00 a.m.
(2 minutes)

September 11, 2004
October 6, 2004 (Special Meeting)
October 10, 2004 (Organization Meeting)

(Van de Kamp) **30 PRESIDENT'S REPORT**

9:01 a.m.
(12 minutes)

1. Lawyer Assistance Program—ratification of liaison appointment of Mr. Heiting and Ms. Tucker
2. Membership Liaison—ratification of appointment of Ms. Green, Mr. Bleich and Mr. Crabtree

(Johnson) **40 STAFF REPORTS**

9:13 a.m.
(5 minutes)

41 Executive Director

42 Secretary

42-1 Board of Governors and California Young Lawyers Association — 2005 election schedule

50 CONSENT AGENDA

9:18 a.m.
(5 minutes)

- (Heiting) 51 Financial Statements for Quarter Ended September 30, 2004
- (Heiting) 52 Investment Report for Quarter Ended September 30, 2004
- (Heiting) 53 Client Security Fund Report for Quarter Ended September 30, 2004

100-300 REPORTS OF BOARD COMMITTEES

110 Board Operations

9:23 a.m.
(15 minutes)

- 111* Supreme Court Request for State Bar Amicus Curiae Participation, Frye v. Tenderloin Housing

(Miliband /
Ipsen)

120 Regulation, Admissions & Discipline Oversight

9:38 a.m.
(17 minutes)

- 121 State Bar Policy Regarding Accommodations for the Bar Examination Applicants Related to Observance of Religious Holidays—proposed amendments following public comment period
- 122 Rules of Procedure for Fee Arbitration and the Enforcement of Awards by the State Bar, rule 15.2—proposed amendment
- 123 State Bar Court Pro Tempore Judges—proposed extension of terms
- 124 Rules of Procedure of the Committee on Professional Responsibility and Conduct (COPRAC)—proposed amendments
- 125 Multistate Professional Responsibility Examination—proposed adjustment in passing score
- 126 State Bar Court Pilot Program—proposed legislation for inactive enrollment credit

(McLeod /
Green)

130 Member Oversight

9:55 a.m.
(15 minutes)

- 131 Members' Requests for Adjustment to Fees and/or Penalties—proposed approval
- 132 Member Service Center—status report

- 133 Labor and Employment Law Section—proposed amendments to bylaws to require a minimum of six months operating revenue to be maintained by the section for emergency use

(Heiting)

140 Planning, Program Development, and Budget

10:10 a.m.
(15 minutes)

(Snetsinger /
Marcus)

150 Communications and Bar Relations

10:25 a.m.
(15 minutes)

- 151 Report from the Office of Government Affairs
- 152 Immediate Action Items
- 153 Legislative Proposals of State Bar Sections and Committees—proposed consideration
- 154 Commission on Judicial Nominees Evaluation—proposal for emergency interim amendment to rule VI, §1 (increase membership to 38; allow past commissioners to sit on assignment as commissioners pro tempore)
- 155 Online Survey Regarding Challenges Facing Legal Professionals with Disabilities in Practice—proposed report and recommendations following public comment period
- 156 Access and Fairness Online Survey Regarding Challenges to the Practice of Law—proposed request to conduct survey
- 157 Rules and Regulations of the State Bar of California, Article 1, Section 4 re privileges of inactive members and service on State Bar committees—proposed amendment following public comment period

(Van de Kamp)

160 Task Force on Sections

10:40 a.m.
(10 minutes)

600 REPORTS OF SPECIAL COMMITTEES, BOARDS AND COMMISSIONS

None

CLOSED SESSION

10:50 a.m.
(40 Minutes)

1000 MINUTES

September 11, 2004
October 6, 2004 (Special Meeting)

(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, article 5, section 3(a))

3000 REPORTS OF BOARD COMMITTEES

3110 Board Operations

111* Supreme Court Request for State Bar Amicus Curiae Participation, Frye v. Tenderloin Housing

3112 Claim of Alan Konig

(Closed pursuant to Business and Professions Code section 6026.5(d))

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified); (b) any settlement matters; (c) prospective litigation; (d) any requested waivers of claims of privilege.

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CLOSED CONSENT

None

(Marcus)

6000 APPOINTMENTS

6010 CLOSED CONSENT

6011 Client Security Fund Commission—interim appointment of member

6012 Estate Planning, Trust and Probate Law Advisory Commission—interim appointment of member

6013 Legal Services Trust Fund Commission—interim appointment of member

6014 Lawyer Assistance Program Oversight Committee—annual appointment of member

6015 Fee Arbitration Department—annual reappointment of arbitrators and appointment of new arbitrators

6016 Legal Services of Northern California—annual reappointment of attorney member to the Board of Directors

6020 Commission on Judicial Nominees Evaluation—interim reappointment of member

(Closed pursuant to Business and Professions Code section 6026.5(g))

OPEN SESSION

(Van de Kamp) **700 MISCELLANEOUS**

701 Presentation and Acknowledgment of Members in Practice for 50 Years

[SPECIAL ORDER OF BUSINESS: 11:45 A.M.]

(Van de Kamp) **702 Certificate of Recognition for Chair of Committee on Professional Liability Insurance-proposed request [Emergency Item]**

LUNCH

12:00 noon
(1 hour)

ADJOURN BOARD MEETING (in memory of David J. Levy, former State Bar President)